

Senate Engrossed

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

CHAPTER 28

SENATE BILL 1038

AN ACT

AMENDING SECTION 41-2405, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA
CRIMINAL JUSTICE COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-2405, Arizona Revised Statutes, is amended to
3 read:

4 41-2405. Arizona criminal justice commission: powers and
5 duties: staff

6 A. The Arizona criminal justice commission shall:

7 1. Monitor the progress and implementation of new and continuing
8 criminal justice legislation.

9 2. Facilitate information and data exchange among criminal justice
10 agencies.

11 3. Establish and maintain criminal justice system information
12 archives.

13 4. Prepare for the governor an annual criminal justice system review
14 report. The report shall contain:

15 (a) An analysis of all criminal justice programs created by the
16 legislature in the preceding two years.

17 (b) An analysis of the effectiveness of the criminal code, with a
18 discussion of any problems and recommendations for revisions if deemed
19 necessary.

20 (c) A study of the level of activity in the several areas of the
21 criminal justice system, with recommendations for redistribution of criminal
22 justice revenues if deemed necessary.

23 (d) An overall review of the entire criminal justice system including
24 crime prevention, criminal apprehension, prosecution, court administration
25 and incarceration at the state and local levels as well as funding needs for
26 the system.

27 (e) Recommendations for constitutional, statutory and administrative
28 revisions that are necessary to develop and maintain a cohesive and effective
29 criminal justice system.

30 5. Provide supplemental reports on criminal justice issues of special
31 timeliness.

32 6. Evaluate and gather information concerning potential and existing
33 programs designed to effectuate community crime prevention using citizen
34 participation and disseminate that information to the public, political
35 subdivisions, law enforcement agencies and the legislature.

36 7. Make recommendations to the legislature and the governor each year,
37 pursuant to paragraph 4 of this subsection, regarding the purposes and
38 formula for allocation of fund monies as provided in section 41-2401,
39 subsection D and section 41-2402.

40 8. Adopt rules for the purpose of allocating fund monies as provided
41 in sections 41-2402 and 41-2407 that are consistent with the purposes set
42 forth in those sections and that promote effective and efficient use of the
43 monies.

1 9. With other agencies of government, coordinate the development,
2 implementation and assessment of programs for alcohol and drug enforcement,
3 education, prevention and treatment.

4 10. Make reports to the governor and the legislature as they require.

5 11. In relation to the criminal justice information system established
6 in chapter 17 of this title:

7 (a) Establish the technical criteria to be followed for connecting a
8 component information system to the system.

9 (b) Adopt rules for the administration and management of the system.

10 (c) Conduct hearings to adjudicate disputes between criminal justice
11 agencies if the dispute concerns lack of compliance by either of such
12 agencies with rules relating to the system adopted by the commission.

13 (d) Receive petitions for review of criminal history record
14 information from the subject of the information, conduct hearings to
15 determine the accuracy of the information concerning the subject and amend
16 the criminal history record information if inaccurate.

17 (e) Formulate policies, plans and programs for expansion of the system
18 as needed.

19 (f) Set developmental priorities for the system.

20 (g) Develop and submit to the legislature the cost sharing formula for
21 participants in the system.

22 (h) Provide information to the public on the purposes of the system.

23 (i) Adopt plans and rules for the privacy, confidentiality and
24 security of the system and the dissemination of criminal history record
25 information.

26 (j) Oversee the research, analysis, studies, reports and publication
27 of crime and criminal justice statistics prepared by the Arizona statistical
28 analysis center, which is an operating section of the criminal justice
29 commission.

30 12. Prepare an annual report on law enforcement activities in this
31 state funded by the drug enforcement account or the criminal justice
32 enhancement fund and relating to illicit drugs and drug related gang
33 activity. The report shall be submitted by October 31 of each year to the
34 governor, the president of the senate and the speaker of the house of
35 representatives. The report shall include:

36 (a) The name and a description of each law enforcement program dealing
37 with illegal drug activity or street gang activity, or both.

38 (b) The objective and goals of each program.

39 (c) The source and amount of monies received by each program.

40 (d) The name of the agency or entity that administers each program.

41 (e) The effectiveness of each program.

42 B. The Arizona criminal justice commission may, as necessary to
43 perform its functions:

44 1. Request any state or local criminal justice agency to submit any
45 necessary information.

- 1 2. Form subcommittees, make studies, conduct inquiries and hold
- 2 hearings.
- 3 3. Employ consultants for special projects and such staff as deemed
- 4 necessary or advisable to carry out this section.
- 5 4. Delegate its duties to carry out this section, including:
- 6 (a) The authority to enter into contracts and agreements on behalf of
- 7 the commission.
- 8 (b) The authority to appoint, hire, terminate and discipline all
- 9 personnel of the commission including consultants.
- 10 5. Establish joint research and information facilities with
- 11 governmental and private agencies.
- 12 6. Accept and expend public and private grants of monies, gifts and
- 13 contributions and expend, distribute or allocate monies appropriated to it
- 14 for the purpose of enhancing efforts to investigate, OR prosecute and
- 15 ~~adjudicate serious offenses as defined in section 13-604~~ ANY CRIME AND TO
- 16 IMPLEMENT THIS CHAPTER.

APPROVED BY THE GOVERNOR MARCH 31, 2006.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2006.